

Calendar No. 130

106TH CONGRESS
1ST SESSION**S. 416****[Report No. 106–60]**

To direct the Secretary of Agriculture to convey to the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 1999

Mr. SMITH of Oregon (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 2, 1999

Reported under authority of the order of the Senate of May 27, 1999, by Mr. MURKOWSKI, with amendments.

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To direct the Secretary of Agriculture to convey to the city of Sisters, Oregon, a certain parcel of land for use in connection with a sewage treatment facility.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that—

1 (1) the city of Sisters, Oregon, faces a public
2 health threat from a major outbreak of infectious
3 diseases due to the lack of a sewer system;

4 (2) the lack of a sewer system also threatens
5 groundwater and surface water resources in the
6 area;

7 (3) the city is surrounded by Forest Service
8 land and has no reasonable access to non-Federal
9 parcels of land large enough, and with the proper
10 soil conditions, for the development of a sewage
11 treatment facility;

12 (4) the Forest Service currently must operate,
13 maintain, and replace 11 separate septic systems to
14 serve existing Forest Service facilities in the city of
15 Sisters; and

16 (5) the Forest Service currently administers 77
17 acres of land within the city limits that would in-
18 crease in value as a result of construction of a sewer
19 system.

20 **SEC. 2. CONVEYANCE.**

21 (a) IN GENERAL.—~~Not later than 1 year~~ *As soon as*
22 *practicable and upon completion of any documents or anal-*
23 *ysis required by any environmental law, but not later than*
24 *180 days* after the date of enactment of this Act, the Sec-
25 retary of Agriculture shall convey to the city of Sisters,

1 Oregon, at no cost to the city except the cost of prepara-
 2 tion of any documents required by any environmental law
 3 in connection with the conveyance, the parcel of land de-
 4 scribed in subsection (b).

5 ~~(b) LAND DESCRIPTION.—THE LAND DESCRIBED IN~~
 6 ~~THIS SUBSECTION IS THE PARCEL OF LAND LOCATED~~
 7 ~~IN—~~

8 *conveyance, an amount of land that is not more than is*
 9 *reasonably necessary for a sewage treatment facility and*
 10 *for the disposal of treated effluent consistent with subsection*
 11 *(c).*

12 “(b) *LAND DESCRIPTION.—The amount of land con-*
 13 *veyed under subsection (a) shall be not less than 160 acres*
 14 *and not more than 240 acres from within the following—*

15 (1) the SE quarter of section 09, township 15
 16 south, range 10 west, W.M., Deschutes, Oregon, and
 17 the portion of the SW quarter of section 09, town-
 18 ship 15 south, range 10 west, W.M., Deschutes, Or-
 19 egon, that lies east of Three Creeks Lake Road, but
 20 not including the westernmost 500 feet of that por-
 21 tion; and

22 (2) the portion of the SW quarter of section 09,
 23 township 15 south, range 10 west, W.M., Deschutes
 24 County, Oregon, lying easterly of Three Creeks Lake
 25 Road.

1 (c) CONDITION.—The conveyance under subsection
 2 (a) shall be made on the condition that the city agree to
 3 conduct a public process before the final determination is
 4 made regarding land use for the disposition of treated ef-
 5 fluent.

6 ~~(d) SPECIAL USE PERMIT.—Not later than 120 days~~
 7 ~~after the date of enactment of this Act, in compliance with~~
 8 ~~applicable environmental laws (including regulations), the~~
 9 ~~Secretary shall issue a special use permit for the land con-~~
 10 ~~veyed under subsection (a) that allows the city access to~~
 11 ~~the land for the purpose of commencing construction of~~
 12 ~~the sewage treatment plant.~~

13 ~~(e) (d) USE OF LAND.—~~

14 (1) IN GENERAL.—The land conveyed under
 15 subsection (a) shall be used by the city for a sewage
 16 treatment facility and for the disposal of treated ef-
 17 fluent.

18 (2) OPTIONAL REVERTER.—If at any time the
 19 land conveyed under subsection (a) ceases to be used
 20 for a purpose described in paragraph (1), at the op-
 21 tion of the United States, title to the land shall re-
 22 vert to the United States.

23 **SEC. 3. SALE OF ADMINISTRATIVE LAND.**

24 ~~(a) IN GENERAL.—Not later than 3 years after the~~
 25 ~~date of enactment of the Act, and notwithstanding any~~

1 other provision of law, the Secretary shall sell, at fair mar-
 2 ket value, not less than a total of 6 acres of unimproved
 3 land in the city that is currently designated for adminis-
 4 trative use. There are authorized to be appropriated such
 5 sums as are necessary to prepare the sale.

6 (b) DEPOSIT OF PROCEEDS.—The Secretary shall de-
 7 posit the proceeds of a sale under subsection (a) in the
 8 fund established by Public Law 90–171 (commonly known
 9 as the “Sisk Act”) (16 U.S.C. 484a).

10 (c) USE OF PROCEEDS.—

11 (1) IN GENERAL.—Funds deposited under sub-
 12 section (b) shall be available for expenditure, without
 13 further Act of appropriation, as follows:

14 (A) Not more than 25 percent shall be
 15 available for administrative improvements at
 16 the Sisters Ranger District.

17 (B) The remainder shall be available for
 18 purposes that are directly related to improving
 19 the long-term condition of the watershed of
 20 Squaw Creek, a tributary of the Deschutes
 21 River, Oregon.

22 (2) METHOD OF EXPENDITURE.—The super-
 23 visor of the Deschutes National Forest may expend
 24 funds deposited under subsection (b) directly or may
 25 provide the funds in the form of grants to local wa-

1 watershed councils, including the Working Group (as
2 defined in section ~~1025(a)~~ of division I of the Omni-
3 bus Parks and Public Lands Management Act of
4 ~~1996 (110 Stat. 4226)~~).

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